

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Fritz Neubourg

Appl. No.: To be assigned (U.S. Nat'l Phase of PCT/EP2003/014153; I.A. Fd: December 12, 2003)

For: **Stable Foam Cream**

Confirmation No.: To be assigned

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 2389.0010000/MAC/MGP

**Information Disclosure Statement
Filing Under 37 C.F.R. § 1.97(b)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of documents **AL1-AO1** and **AR1** are submitted herewith.

Document **AL1**, FR 2 217 405 A, was cited in the International Search Report (ISR) for the instant application. The ISR is in English and was prepared by a foreign patent office. Submission of the English language version of the ISR, as document **AR1**, that indicates the degree of relevance found by the foreign patent office, is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

Document **AO1**, WO 99/08649 A, is in a foreign language and was cited in the International Search Report (ISR) for the instant application. The ISR was prepared by a foreign patent office. An English language abstract of document **AO1** is located on the

face page of said document. Submission of an English language version of the search report, document **AR1**, that indicates the degree of relevance found by the foreign patent office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

10/53866
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Fritz Neubourg
Appl. No. To be assigned

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT			ATTY. DOCKET NO. 2389.0010000/MAC/MGP		APPLICATION NO. To be assigned (U.S. Nat'l Phase of PCT/EP2003/014153; I.A. Fd: December 12, 2003)		
			FIRST NAMED INVENTOR Fritz Neubourg				
			FILING DATE		ART UNIT To be assigned		
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AJ						
	AJ						
	AK						
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	FR 2 217 405 A	09/06/1974	France			Yes <input checked="" type="checkbox"/> No
	AM1	GB 2 204 875 A	11/23/1988	Great Britain			Yes <input type="checkbox"/> No
	AN1	WO 98/31339 A	07/23/1998	WIPO			Yes <input type="checkbox"/> No
	AO1	WO 99/08649 A	02/25/1999	WIPO			Yes <input checked="" type="checkbox"/> No
	AP						Yes <input type="checkbox"/> No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR	1	International Search Report for International Application No. PCT/EP2003/014153, European Patent Office, Netherlands, mailed on May 21, 2004				
	AS						
	AT						
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							